

## AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the application.

### **LISTING OF CLAIMS**

1. (Currently Amended) An apparatus for fixing a plate to bony material, comprising:  
a plate having a unitary body with at least one opening having a spherical curvature extending at least partially through the thickness of the plate; and  
at least one fastener having a head that interferes with a deformable interference point of the plate;  
wherein the head is capable of engaging with and passing the deformable interference point to communicate with the spherical curvature,  
wherein the deformable interference point is a portion ~~that is integral with~~ of the unitary body of the plate and conforms to the spherical curvature of the at least one opening and located at an upper portion of the at least one opening.
2. (Currently Amended) The apparatus according to claim 1, wherein the deformable interference point includes at least one engagement area and at least one relief area.
3. (Previously Presented) The apparatus according to claim 1, wherein at least two tangents from an outer most portion of the spherical curvature of the plate intersect.
4. (Previously Presented) The apparatus according to claim 3, wherein an angle of intersection of the at least two tangents is between about 1 and about 5 degrees.

5. (Previously Presented) The apparatus according to claim 3, wherein an angle of intersection of the tangents is between about 1 and about 3 degrees.
6. (Currently Amended) The apparatus according to claim 2, wherein the at least one relief area comprises less than about 40% of the deformable interference point.
7. (Currently Amended) The apparatus according to claim 2, wherein the at least one relief area comprises less than about 30% of the deformable interference point.
8. (Original) The apparatus according to claim 1, wherein the fastener head comprises a partially spherical outer surface corresponding approximately to the spherical surface of the plate opening, at least one slit located on the fastener head to permit outward expansion of the fastener head, and a locking screw capable of being received in a receptacle formed in the fastener head.
9. Cancelled.
10. Cancelled.
11. Cancelled.
12. Cancelled.

13. Cancelled.

14. Cancelled.

15. Cancelled.

16. Cancelled.

17. (Previously Presented) An apparatus for fixing a plate to bony material, consisting essentially of:

a plate having a unitary body and comprising at least one opening having a spherical curvature; and

at least one fastener having a head capable of engaging with and passing through a deformable interference point of this spherical curvature;

wherein the fastener is prevented from backing out of the opening by the deformable interference point,

wherein the deformable interference point is a portion ~~that is integral with~~ of the unitary body and conforms to the spherical curvature of the at least one opening and located at an upper portion of the at least one opening.

18. (Currently Amended) The apparatus according to claim 17, further comprising another opening selectively positioned to increase interference at the deformable interference point.

19. (Previously Presented) The apparatus according to claim 17, wherein at least two tangents to the spherical curvature intersect.
20. (Previously Presented) The apparatus according to claim 17, wherein the fastener head comprises a partially spherical outer surface corresponding approximately to the spherical curvature of the plate opening, at least one slit located on the fastener head to permit outward expansion of the fastener head, and a locking screw capable of being received in a receptacle formed in the fastener head.
21. (Withdrawn) A fastener for mounting an implant to bone comprising:  
an elongate fastener body having a longitudinal axis, a proximal end, and a distal end;  
a threaded portion disposed on the distal end of the fastener, wherein said threaded portion is capable of screwing into bone;  
a fastener head portion disposed on the proximal end of the fastener, wherein the fastener head comprises:  
a partially spherical outer surface;  
an interior surface defining a receptacle for receiving a locking fastener;  
and  
at least one slit extending between the outer surface and interior surface of the fastener head to permit outward expansion of the fastener head; and  
a locking fastener capable of being received in the receptacle of the fastener head.
22. (Withdrawn) The fastener of claim 21, further comprising:

a plate having at least one aperture configured and adapted to include an interference area integrally formed therein to prevent the fastener from backing out of the interference area.

23. (Withdrawn) The fastener of claim 21, further comprising:

a plate having at least one opening having a spherical curvature extending at least partially through the thickness of the plate, wherein insertion of the fastener head interferes with the plate at an interference point, and wherein the fastener head is capable of engaging with and passing the interference point to communicate with the spherical curvature.

24. (Withdrawn) The fastener of claim 21, wherein the fastener head comprises two or more slits extending between the outer surface and interior surface of the fastener head to permit outward expansion of the fastener head.

25. (Withdrawn) The fastener of claim 24, wherein the fastener head comprises four or more slits extending between the outer surface and interior surface of the fastener head to permit outward expansion of the fastener head.